

Remarks

Claims 1-29 are pending in this application. The above-captioned application, filed herewith, is a continuation of U.S. Patent Application Serial Number 09/218,247 filed December 22, 1998. In the parent application, the Examiner issued a final Office Action on March 16, 2001 rejecting claims 1-12 and allowing claim 13. Claim 13 was canceled and claims 1-12 were taken on appeal. The Board indicated that claims 1-12 were allowable over the cited art and the case was passed to issuance.

In the first preliminary amendment for the present case, claim 13 of the parent application was substantially reproduced as new claim 13, new claims 14-29 were added, and claims 1-12 were canceled.

A first Office Action for this case was mailed September 16, 2004. Due to a mistake at the Patent Office, the preliminary amendment was ignored and claims 1-12 were reexamined. Claims 13-29 were not considered.

The undersigned contacted the Examiner, Congvan Tran, and the Examiner's supervisor, William Trost. The Examiner withdrew the pending Office Action. An agreement was reached to allow Applicants to continue prosecuting claims 1-12 in the present application, together with added claims 13-29, statutory double patenting notwithstanding. The undersigned agreed to cancel claims 1-12 if they were eventually found to be allowable over the cited art.

In the now withdrawn Office Action, the Examiner rejected claims 1-5 and 7-11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,345,498 to Mauger (Mauger). The Examiner indicated that claims 6 and 12 contained allowable subject matter. Applicants disagree with the Examiner's rejections.

Claim 1 provides, *inter alia*, for a method for connecting a wireless handset to a wireline switch in an integrated wireline/wireless telecommunications network having a plurality of access controllers and wireline switches. A determination is made for a preferred connection between the wireless handset and one of the plurality of wireline switches based on *predetermined data associated with the subscriber*.

Independent claim 7 provides a system including a wireless service processor and an access controller. The wireless service processor receives identification of a subscriber in response to a call attempt and determines a preferred connection between the wireless

handset and one of a plurality of wireline switches based on *predetermined data associated with the subscriber*. The access controller connects the wireless handset to one of the plurality of wireline switches based on the preferred connection so as to complete the call attempt.

The Examiner asserts that Mauger teaches Applicants' invention. However, Mauger discloses switching based solely on the location of the mobile subscriber.

SUMMARY OF THE INVENTION

According to the present invention there is provided a communications system including a communications network, having mobile subscribers, and a PSTN fixed network interconnected therewith, wherein calls can be set up in either direction between the said networks and multiple tariffs are applicable, the tariff employed for any particular call *being determined by the location of the mobile subscriber involved in the call*, the same tariff being employed irrespective of the call set-up direction.

Col. 1, ln. 64-col. 2, ln. 6 (emphasis added).

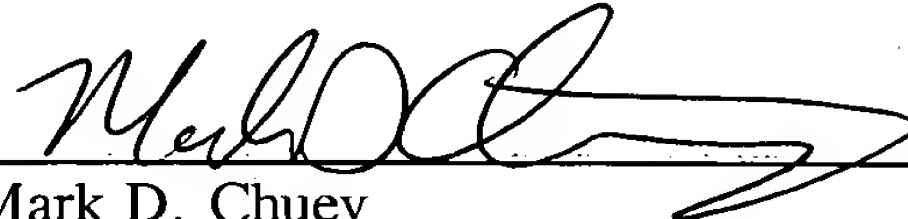
(See also, col. 3, ll. 36-58, and col. 4, ll. 8-19.) The location of the mobile subscriber is not predetermined data associated with a subscriber, but changes as the subscriber moves within the coverage area.

Claims 1-29 are pending in this application. Applicants believe these claims meet all substantive requirements for patentability and respectfully request that this case be passed to issuance. No fee is believed due by filing this paper. However, any fee due may be withdrawn from Deposit Account No. 21-0456 as specified in the Application Transmittal.

The Examiner is invited to contact the undersigned to discuss any aspect of this case.

Respectfully submitted,

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